

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Crim. No. 25-879 JB

HERIBERTO SALAZAR AMAYA et al.,

Defendants.

OPPOSED MOTION FOR A PROTECTIVE ORDER¹

The United States respectfully moves this Court under Rule 16(d)(1) of the Federal Rules of Criminal Procedure to enter a protective order governing discovery produced by the United States in the above matter. In support of this motion, the United States sets forth the following:

The United States intends to disclose discovery in this case that is voluminous. Discovery will include, among other things, numerous documents, financial records, photographs, audios, videos, and digital evidence, among other things (the “Disclosed Material”). This Disclosed Material contains personally identifiable information as well as information pertaining to individuals other than Defendants. The Disclosed Material includes, but is not limited to, personal identifiers such as names, phone numbers, social security numbers, and addresses. The referenced information is included in intercepted communication as well as on police reports, audio, and other documents, including financial statements. The United States is concerned that dissemination of this type of information has significant privacy implications for the individuals whose personal

¹ The United States communicated with defense counsel regarding the relief it requests through this motion. However, given the numerous Defendants, and admittedly the relatively short time that defense counsel has had to respond, the United States was unable to receive concurrence from all counsel. The United States therefore assumes opposition.

information is contained in these materials. Furthermore, given the scope of the material and the nature of the information contained therein, the United States does not believe it is feasible to redact all the private information in a timely manner. Entering a protective order will expedite the disclosure of discovery to Defendants.

Rule 16(d)(1) of the Federal Rules of Criminal Procedure, titled “Protective and Modifying Orders,” states that “the court may, for good cause, deny, restrict, or defer discovery or inspection, or grant other appropriate relief.” Accordingly, the United States submits that there is good cause for the Court to enter a protective order with the following terms:

1. Material received by the defendant(s) (through their respective attorneys) from the United States shall not be shown or otherwise provided or disclosed to individuals other than:
 - a. Defendants;
 - b. Defendants’ attorneys of record;
 - c. employees of such attorney to whom it is reasonably necessary that the material be shown for the purposes of motions, hearings, trial, or appeal in this matter;
 - d. witnesses and their counsel to whom it is reasonably necessary that the material be shown for the purposes of motions, hearings, or trial; and
 - e. experts or consultants who are assisting in the motions, hearings, trial, or appeal in this matter.
 - f. defense counsel may leave materials in the possession of their clients and third parties only if such materials do not include personally identifiable information about victims and witnesses, including but not limited to names, birth dates, social security numbers, addresses, financial information to include account numbers, photographs, and audio and video recordings.

2. Individuals to whom discovery material is shown or otherwise provided must be provided with a copy of this protective order, and agree to be bound by its terms prior to being shown or otherwise provided with any material.

For the foregoing reasons, the United States respectfully requests that the Court enter a stipulated protective order, the terms of which have been agreed to by the parties.

Respectfully submitted,

RYAN ELLISON
United States Attorney

/s/ Electronically filed on May 13, 2025

MATTHEW J. MCGINLEY
BLAKE NICHOLS
RAQUEL RUIZ-VELEZ
Assistant United States Attorney
201 Third Street NW, Suite 900
Albuquerque, 87102

I HEREBY CERTIFY that on May 13, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to opposing counsel of record on this date.

Electronically Filed
MATTHEW J. MCGINLEY
Assistant United States Attorney